

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

&

THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

TUESDAY, THE 3RD JULY 2007 / 12TH ASHADHA 1929

LA.App..No. 441 of 2005(A)

LAR.373/1999 of PRL.SUB COURT, KOZHIKODE

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APPELLANT: RESPONDENT:

STATE OF KERALA.

BY ADV. SRI. K.V. MANOJ KUMAR, GOVERNMENT PLEADER

RESPONDENTS: CLAIMANT:

KURUMANCHAYIL PRADEEPAN,
VENGERI AMSOM DESOM, KOZHIKODE.

BY ADV. SRI.P.V.KUNHIKRISHNAN

THIS LAND ACQUISITION APPEAL HAVING BEEN FINALLY HEARD
ON 03/07/2007, L.A.A NOS. 860 OF 2005 & 617 OF 2004
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

L.A.A NO. 441/2005

: 2 :

ORDER ON I.A. NO. 1294/2005 IN L.A.A NO. 441/2005

DISMISSED

03.07.2007

SD/- KURIAN JOSEPH, JUDGE.

SD/- T.R. RAMACHANDRAN NAIR, JUDGE.

KURIAN JOSEPH & T.R. RAMACHANDRAN NAIR, JJ

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L.A.A NO. 617/2004

L.A.A 441/2005 & Cross Objection 112/2005

& L.A.A 860/2005 & Cross Objection 107/2005

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Dated this the 3rd day of July, 2007.

JUDGMENT

Kurian Joseph,J

These appeals arise from the judgment and decree in L.A.R Nos. 374/99, 373/99 and 377/99 respectively on the file of Sub Court, Kozhikode. The acquisition pertains to National High Way. It is brought to our notice that the relied on judgment, A5, LAR No. 539/97 has been remitted to the reference Court by judgment in L.A.A. 230/2001 and connected cases. For parity of reasons, these appeals and cross objections are disposed of remitting the matters to the reference Court to be tried along with L.A.R. No. 539/97 and connected cases. It is submitted that in the matter already remitted, the parties have been given an opportunity to adduce further evidence. If that be so, such an opportunity will be given to the parties herein also. Since the cases are remanded, the cross objectors will be entitled to refund of the court fees.

KURIAN JOSEPH, JUDGE.

T.R. RAMACHANDRAN NAIR, JUDGE.

